

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**RICHARD E. PIERSON
CONSTRUCTION CO., INC.,
Plaintiff,**

v.

**PHILADELPHIA REGIONAL PORT
AUTHORITY,
Defendant.**

CIVIL ACTION

NO. 18-4280

O R D E R

AND NOW, this 9th day of November, 2018, upon consideration of plaintiff's Complaint (Document No. 1, filed October 3, 2018), Plaintiff's Motion for Preliminary Injunction (Document No. 3, filed October 4, 2018), Proposed Intervenor-Defendant's Memorandum of Law in Opposition to Plaintiff's Motion for Preliminary Injunction (Document No. 12, October 18, 2018), Philadelphia Regional Port Authority's Brief in Opposition to the Motion for Preliminary Injunction of Richard E. Pierson Construction Co., Inc. (Document No. 14, filed October 19, 2018), Plaintiff's Reply in Support of Motion for Preliminary Injunction on Threshold Issues of Immunity and Jurisdiction (Document No. 17, filed October 24, 2018), Plaintiff's Reply in Support of Its Motion for Preliminary Injunction (Document No. 21, filed October 31, 2018), following a telephone conference on November 2, 2018, for the reasons stated in the accompanying Memorandum dated November 9, 2018, **IT IS ORDERED, *sua sponte*,** that plaintiff's Complaint is **DISMISSED WITH PREJUDICE** for lack of subject-matter jurisdiction.

IT IS FURTHER ORDERED that Plaintiff's Motion for Preliminary Injunction (Document No. 3, filed October 4, 2018), and Motion of South State, Inc. to Intervene as Defendant and Memorandum in Support (Document No. 8, filed October 17, 2018) are **DISMISSED** for lack of subject-matter jurisdiction.

BY THE COURT:

/s/ **Hon. Jan E. DuBois**

DuBOIS, JAN E., J.